

COMMITTEE STATEMENT

LB 761

HEARING DATE: January 31, 1984

COMMITTEE ON: Public Health and Welfare

TITLE: Nebraska Certified Nurse-Midwifery Practice Act.

Roll Call Vote, Final Committee Action: Senator Fenger moved to amend LB 761, Senator McDonald seconded the motion. Senators Barrett, Fenger, Wesely, Withem, McDonald, R. Peterson, and Rupp voted aye. Senator Fenger moved to advance as amended LB 761, Senator Wesely seconded. Senators Fenger, Barrett, R. Peterson, McDonald, Rupp, Wesely and Withem voting aye.

PROPOSERS	Representing
Senator Shirley Marsh Sheri Tillson Deb Evans Ann Raschke Patrick Healey Kathy Dean Dr. Tom Dean Marjorie Dunivan Vickie Waymire	Legislative Aide, Senator Marsh Nebraskans for Certified Midwives Faculty, UN & St. Elizabeth Hospital Lawyer, Lincoln a CNM Family Practitioner, South Dakota Nurse Educator R.N.
OPPOSERS	Representing
Dr. Robert Shapiro Dr. John Sage Dr. Herbert Reese	Lincoln Omaha Lincoln, Nebr Med. Assoc.

Summary of purpose and/or changes: This bill would allow certified nurse midwives (CNM's) to practice in Nebraska. The Nebraska certification procedure would require an applicant for certification to be a licensed nurse in Nebraska, to complete a special training program and to pass an examination. The certification procedure would be administered by the Board of Nursing and the Board of Examiners in Medicine and Surgery.

CNM's would be authorized to "attend cases of normal childbirth", provide prenatal and "normal" gynecological services, and provide care for newborns immediately following birth. The specific duties of a CNM would be detailed in a "practice agreement" to be signed by the CNM and a supervising physician. The practice agreement would also specify where the CNM would practice. The allowable practice settings would include hospitals, doctors'

Explanation of Amendments, if any:

(cont page 2)

(Committee amendments attached)

The committee amendments make the following substantive changes in the bill. 1) In order to be a collaborating practitioner, a doctor would have to have obstetrics as part of his or her practice; 2) the collaborative relationship is made subject to the regulatory authority of the Board of Nursing and the Board of Examiners in Medicine & Surgery; 3) the practice agreement signed by the doctor and the CNM would have to be approved by both boards; 4) CNMs would be prohibited from doing home deliveries; 5) the reciprocity clause is removed; 6) the CNM Council would be authorized only to recommend an examination to the boards, not to approve it; 7) the composition and method of

Chairperson

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PROPOSERS	Representing
Vickie Waymire	R.N.
Kay Rapkin	Consumer, Nurse Educator, Lincoln
Jim & Alene Anderson-Swinehart	Consumers
Judy Burke	Consumer
Karen Jensen	Member, NCNM
OPPOSERS	Representing
NEUTRAL:	
Dr. Wes Wilhelm	Nebr. Academy of Family Physicians
Judy Quinn	Rep. 19 Nursing Organizations
Sheila Cicuilla	Board of Nursing

SUMMARY: (cont) offices, public health agencies, or anywhere the supervising doctor might wish. The supervising physician would not have to be physically present when the CNM was performing his or her authorized functions.

The bill would also create a Council of Certified Nurse Midwifery comprised of three CNMs, two public members and two physicians. The Councils' role would be largely advisory, however, it would be required to approve certification examinations.

Penalties for violation of the CNM Act are established.

AMENDMENTS: (cont) selecting the CNM Council is changed, and it is made clear that the Council's role is advisory only; 8) language is added that would remove from coverage under the act, nurse midwifery functions when performed in emergency situations, by a resident of another state working for the U.S. government, and by a person enrolled in a CNM educational program.